

## **REMARKS/ARGUMENTS**

Claims 1-23 remain in this application. Claims 1, 8, 9, 16, and 17 have been amended.

### **Allowed Claims/Subject Matter**

Applicant notes with appreciation that the Examiner has indicated the subject matter of claims 3, 10, and 18 are patentable, and would be allowable if rewritten in independent form.

### **§ 102 Rejections**

In view of the above amendments, applicants respectfully traverse the rejection of claims 1, 2, 4-9, 11, 19, and 20-23 under 35 U.S.C. § 102(a) and (e) as being anticipated by U.S. Patent No. 6,522,434B1 (the Jennings et al patent).

Jennings discloses a system and method for determining the optical loss characteristics of optical fibers in an existing optical fiber network. Thus, Jennings does not disclose the first element of claim 1, namely, electronically receiving at least one technical parameter associated with a proposed communication network from a user. Claim 1 has additionally been amended to recite that the selected optical fiber type is electronically recommended to the user. There is no mention or suggestion in Jennings of recommending any particular fiber to an end user.

Based upon the above amendments, remarks, and papers of records, applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Applicant believes that no extension of time is necessary to make this Reply timely. Should applicant be in error, applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Robert L. Carlson at 607-974-3502.

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Respectfully submitted,



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